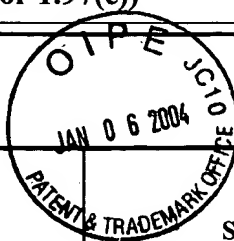


**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT****(Under 37 CFR 1.97(b) or 1.97(c))**

Docket No.

112701-138

**RECEIVED**In Re Application Of: **Mark et al.**

JAN 12 2004

TECH CENTER 1600/2900

Serial No.

09/759,037

Filing Date

January 10, 2001

Examiner

S. Sharareh

Group Art Unit

1617

Title:

**CALORICALLY DENSE NUTRITIONAL COMPOSITION**

Address to:

Commissioner for Patents

P.O. Box 1450


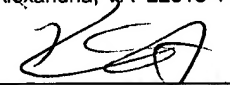
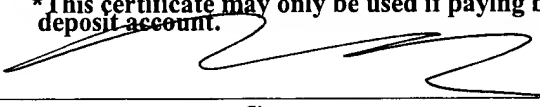
Alexandria, VA 22313-1450

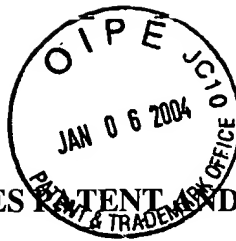
**37 CFR 1.97(b)**

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☒ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:
- ☐ the statement specified in 37 CFR 1.97(e);
- OR**
- ☒ the fee set forth in 37 CFR 1.17(p).

<b>TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT</b> (Under 37 CFR 1.97(b) or 1.97(c))		<b>RECEIVED</b> Docket No. 112701-138
In Re Application: <b>Mark et al.</b>		
Serial No. <b>09/759,037</b>	Filing Date <b>January 10, 2001</b>	<div style="text-align: center;">  </div> <div style="display: flex; justify-content: space-between;"> <div>           Examiner  <b>S. Sharareh</b> </div> <div>           Group Art Unit  <b>1617</b> </div> </div>
<b>CALORICALLY DENSE NUTRITIONAL COMPOSITION</b>		
<div style="text-align: center;"> <b>Payment of Fee</b>          (Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))       </div> <p> <input checked="" type="checkbox"/> A check in the amount of    <b>\$180.00</b>    is attached.  <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No.    <b>02-1818</b>          as described below.       </p> <div style="margin-left: 40px;"> <input type="checkbox"/> Charge the amount of  <input checked="" type="checkbox"/> Credit any overpayment.  <input checked="" type="checkbox"/> Charge any additional fee required.       </div>		
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p style="text-align: center;"><b>Certificate of Transmission by Facsimile*</b></p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">           I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (F:         </div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">           _____            (Date)         </div> <div style="border-bottom: 1px solid black; margin-bottom: 5px; text-align: center;">           _____  <i>Signature</i> </div> <div style="border-bottom: 1px solid black; margin-bottom: 5px; text-align: center;">           _____  <i>Typed or Printed Name of Person Signing Certificate</i> </div> </div> <div style="width: 45%;"> <p style="text-align: center;"><b>Certificate of Mailing by First Class Mail</b></p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">           I certify that this document and fee is being deposited on <b>1/2/2004</b> with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.         </div> <div style="text-align: center; margin-bottom: 5px;">  </div> <div style="border-bottom: 1px solid black; margin-bottom: 5px; text-align: center;">           _____  <i>Signature of Person Mailing Correspondence</i> </div> <div style="border-bottom: 1px solid black; margin-bottom: 5px; text-align: center;">           Renee Street         </div> <div style="border-bottom: 1px solid black; margin-bottom: 5px; text-align: center;">           _____  <i>Typed or Printed Name of Person Mailing Certificate</i> </div> </div> </div>		
<p> <b>*This certificate may only be used if paying by deposit account.</b> </p> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"> <div style="width: 45%;">  <div style="text-align: center; margin-top: 5px;">           _____  <i>Signature</i> </div> </div> <div style="width: 45%;"> <p>Dated:    <b>January 2, 2004</b></p> </div> </div>		
<p> <b>Robert M. Barrett (30,142)</b>  <b>ATTORNEYS FOR APPLICANTS</b>  <b>Bell, Boyd &amp; Lloyd LLC</b>  <b>P.O. Box 1135</b>  <b>Chicago, Illinois 60690-1135</b> </p>		
CC:		



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
JAN 12 2004  
TECH CENTER 1600/2900

Applicant: Mark et al.  
Appl. No.: 09/759,037  
Conf. No.: 3136  
Filed: January 10, 2001  
Title: CALORICALLY DENSE NUTRITIONAL COMPOSITION  
Art Unit: 1617  
Examiner: S. Sharareh  
Docket No.: 112701-138

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 37 C.F.R. 1.97, and 37 C.F.R. 1.98, Applicants request that a citation and examination of the references cited below, and on the attached PTO-1449 form, copies of which are enclosed, be made during the course of examination of the above-identified application for United States patent.

**OTHER DOCUMENTS**

Brochure entitled "Respalor" by Mead Johnson & Company, 1994.

Brochure entitled "Pulmocare" by Ross Products Division, Abbott Laboratories, 1993.

Brochure entitled "Fresubin 750 MCT High-Caloric Formula for Oral and Tube Feeding" by Fresenius AG, 1989.

Culpepper-Morgan et al. article entitled "Using Enteral Nutrition Formulas" The Gastroenterologist, Volume 1, Number 2, June 1993, pp. 143-156.

Ziegler et al. article entitled "Pharmacokinetic assessment of an oligopeptide-based enteral formula in abdominal surgery patients" Am. J. Clin. Nutr., 1998 Vol. 67, pp. 124-128.

Ziegler et al. article entitled "Present Knowledge in Nutrition" International Live Sciences Institute, 1996, pp. 38-40.

01/09/2004 MAHMED1 00000083 09759037

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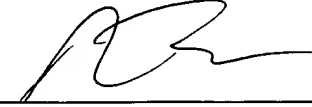
180.00 OP

Applicants look forward to early and favorable consideration of this matter.

Respectfully submitted,

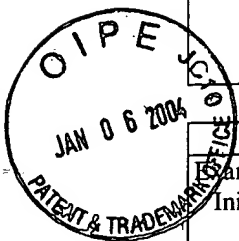
BELL, BOYD & LLOYD LLC

BY



Robert M. Barrett  
Reg. No. 30,142  
P.O. Box 1135  
Chicago, Illinois 60690-1135  
Phone: (312) 807-4204

Dated: January 2, 2004



**INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION**  
(Use several sheets if necessary)

PTO Form 1449

Atty Docket No.

112701-138

Application No.

09/759,037

Applicant

Mark et al.

Filing Date

January 10, 2001

Group

1617

**U.S. PATENT DOCUMENTS**

Examiner's Initials	Document Number	Publication Date	Inventor	Class	Subclass	Filing Date If Appropriate

**FOREIGN PATENT DOCUMENTS**

Examiner's Initials	Document Number	Publication Date	Country	Class	Subclass	Translation	
						Yes	No

Examiner's Initials	<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>
	Brochure entitled "Respalor" by Mead Johnson & Company, 1994.
	Brochure entitled "Pulmocare" by Ross Products Division, Abbott Laboratories, 1993.
	Brochure entitled "Fresubin 750 MCT High-Caloric Formula for Oral and Tube Feeding" by Fresenius AG, 1989.
	Culpepper-Morgan et al. article entitled "Using Enteral Nutrition Formulas" <u>The Gastroenterologist</u> , Volume 1, Number 2, June 1993, pp. 143-156.
	Ziegler et al. article entitled "Pharmacokinetic assessment of an oligopeptide-based enteral formula in abdominal surgery patients" <u>Am. J. Clin. Nutr.</u> , 1998 Vol. 67, pp. 124-128.
	Ziegler et al. article entitled "Present Knowledge in Nutrition" <u>International Live Sciences Institute</u> , 1996, pp. 38-40.

Examiner:

Date Considered:

\*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.